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September 10, 1993

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SEP 10 1993

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: MM Docket No. 93-107
Channel 280A
Westerville, Ohio

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Caton:

Enclosed for filing on behalf of Ohio Radio Associates, Inc. are an original and six (6) copies of its "Opposition to Petition for Leave to Amend" filed by David A. Ringer.

Please contact the undersigned in our Washington, D.C. office.

Respectfully submitted,

McNAIR & SANFORD, P.A.

By:

John W. Hunter

By:

Stephen T. Yelverton

Enclosure

B:CATON.104

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SEP 10 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of:

DAVID A. RINGER

et al.,

Applications for Construction
Permit for a New FM Station,
Channel 280A, Westerville,
Ohio

MM Docket No. 93-107

File Nos. BPH-911230MA

through

BPH-911231MB

To: Administrative Law Judge
Walter C. Miller

OPPOSITION TO PETITION
FOR LEAVE TO AMEND

Respectfully submitted,

MCHAIR & SANFORD, P.A.

By: _____
John W. Hunter

By: _____
Stephen T. Yelverton
Attorneys for Ohio Radio
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1155 15th Street, N.W., Suite 400
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Telephone: (202) 659-3900

September 10, 1993

B:CATON.104

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OPPOSITION TO PETITION FOR LEAVE TO AMEND

Ohio Radio Associates, Inc. ("ORA"), by its attorneys, pursuant to Section 1.294 (b) of the Commission's Rules, hereby submits this "Opposition to Petition for Leave to Amend." On September 1, 1993, David A. Ringer ("Ringer") filed a "Petition for Leave to Amend" and related amendment. In support of its opposition, ORA offers the following comments.

In his petition for leave to amend, Ringer seeks to amend his application to withdraw a comparative claim for local residence. ORA has no objection to the amendment which withdraws the claim for local residence. However, ORA does object to various argumentative and conclusory statements made in the petition for leave to amend which seek to absolve Ringer of any misconduct in making what are now conceded by him to be false claims in his application and hearing exhibit. Such arguments by Ringer are unnecessary to support acceptance of the amendment. Indeed, these arguments appear to be anticipatory rebuttal to petitions to enlarge the issues which have not yet been filed.

WHEREFORE, in view of the foregoing, the Presiding Judge is requested to accept the amendment, but to strike any arguments in the petition for leave to amend with respect to contentions by Ringer to absolve himself of any misconduct in making false claims in his application and hearing exhibits.

Respectfully submitted,

McNAIR & SANFORD, P.A.

By: 
John W. Hunter

By: 
Stephen T. Yelverton

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ORA.910

CERTIFICATE OF SERVICE

I, Stephen T. Yelverton, an attorney in the law firm of McNair & Sanford, P.A., do hereby certify that on this 10th day of September, 1993, I have caused to be hand-delivered or mailed, U.S. mail, postage prepaid, a copy of the foregoing "Opposition to Petition for Leave to Amend" to the following:

The Honorable Walter C. Miller*
Administrative Law Judge
Federal Communications Commission
Room 213
2000 L Street, N.W.
Washington, D.C. 20554

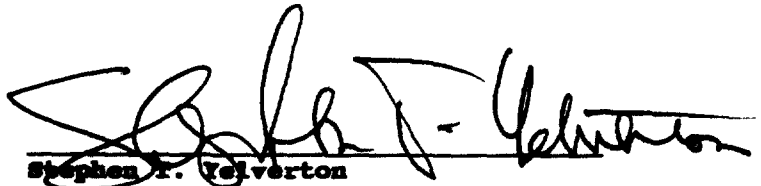
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